

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CF2 CO., LTD.,

Plaintiff,

-against-

YOCO INC. et al.,

Defendants.

USDC SDNY
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1:19-cv-7774

ORDER

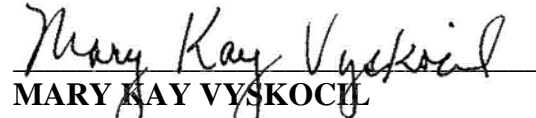
The Court is in receipt of the parties' letters regarding the dismissal of the bankruptcy proceedings involving Defendant Hun C. Park, Plaintiff's intention to move for leave to file a third amended complaint, and the parties' proposed schedule for the conclusion of discovery [ECF #52, 54]. Based on the representations in the parties' letters, the Court concludes that this action is no longer subject to an automatic stay pursuant to Section 362 of the Bankruptcy Code, 11 U.S.C. § 362. Accordingly, IT IS HEREBY ORDERED that Plaintiff shall file any response in opposition to the pending motion to dismiss the Second Amended Complaint by July 23, 2021. Plaintiff may include in its brief any arguments in support of its request to further amend its pleading; however, the Court will not grant Plaintiff leave to initiate a separate round of motion practice on that issue at this time. Defendants shall file any reply in further support of their motion to dismiss by August 6, 2021.

IT IS FURTHER ORDERED that all remaining discovery must be complete by August 6, 2021. Even if the Court grants Plaintiff's request to further amend its pleading to add two more alleged alter egos of the Corporate Defendants, the Court would not extend discovery on that basis, and there is absolutely no reason to tie the end of discovery to the date of Court's decision on Plaintiff's request.

The Clerk of Court is respectfully directed to terminate the letter motions pending at docket entries 52 and 54.

SO ORDERED.

Date: July 1, 2021
New York, NY


MARY KAY VYSKOCIL
United States District Judge